



Atty. Dkt. No. 029318-0978

FTW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: H. William BOSCH et al.
Title: NOVEL GLIPIZIDE COMPOSITIONS
Appl. No.: 10/701,064
Filing Date: 11/5/2003
Examiner: Susan T. TRAN
Art Unit: 1618
Confirmation Number: 6295

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(c), before the mailing date of either a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.311, or an action that otherwise closes prosecution in the application.

RELEVANCE OF EACH DOCUMENT

Attached to the PTO/SB/08 is an Office Action cited in related U.S. Patent Application No. 10/667,470 and related Japanese Patent Application No. 2002-528199.

STATEMENT

The undersigned hereby states in accordance with 37 CFR §1.97(e)(1) that each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to filing of this Statement. A copy of the Translation of the Notice of Rejection cited in Japanese Patent Application No. 2002-528199 and the references are attached. Reference Nos. A1-A2 are the U.S. equivalent to Reference Nos. B1-B2.

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

Although Applicant believes that no fee is required for this Request, the Commissioner is hereby authorized to charge any additional fees which may be required for this Request to Deposit Account No. 19-0741.

Respectfully submitted,

Date: Dec 9, 2008

FOLEY & LARDNER LLP
Customer Number: 31049
Telephone: (202) 672-5538
Facsimile: (202) 672-5399

By Michele M. Simkin

Michele M. Simkin
Attorney for Applicant
Registration No. 34,717